

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Walsh et al.

Application No. 10/570,836

Filed: December 13, 2006

For: ASSAY FOR DIABETES

Confirmation No. 5258

Group Art Unit: 1641

Examiner: Lisa V. Cook

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.97 and 1.98, the references listed on the enclosed Form PTO-1449 and/or Substitute Form PTO-1449 ("Form 1449") are submitted for consideration by the Examiner in the examination of the above-identified patent application.

The full consideration of the references in their entirety by the Examiner is respectfully requested and encouraged. Also, it is respectfully requested that the references be entered into the record of the present application and that the Examiner place his or her initials in the appropriate area on the enclosed Form 1449, thereby indicating the Examiner's consideration of each of the references.

Further, the submission of the references is not to be taken as a concession that any reference represents art that is relevant or analogous to the claimed invention. Accordingly, the right to argue that any reference is not properly within the scope of prior art relevant to an examination of the claims in the above-identified application is also expressly reserved.

The Information Disclosure Statement is being filed:

- ☒ **within** any one of the following time periods: (a) within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d); (b) within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 of an international application; (c) before the mailing date of a first Office Action on the merits; or (d) before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.
- ☐ **after** (a), (b), (c) or (d) above, but before the mailing date of a final action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an action that otherwise closes prosecution in the application, and includes *one* of:

- ☐ the Statement under 37 CFR 1.97(e) (see "Statement under 37 CFR 1.97(e)" below).
- or*
- ☐ the fee of \$180 set forth in 37 CFR 1.17(p) (see "Fees" below).
- ☐ **after** the mailing date of a final action under 37 CFR 1.113 or a Notice of Allowance under 37 CFR 1.311, or an action that otherwise closes prosecution in the application, and on or before payment of the issue fee, and includes the Statement under 37 CFR 1.97(e) (see "Statement under 37 CFR 1.97(e)" below), and the fee of \$180 as set forth in 37 CFR 1.17(p) (see "Fees" below).
- ☐ **after** the mailing date of a Notice of Allowance under 37 CFR 1.311, and on or before payment of the issue fee, and **within** thirty days of receiving each item of information contained in the Information Disclosure Statement, and includes the Statement under 37 CFR 1.704(d) (see "Statement under 37 CFR 1.704(d)" below), and the fee of \$180 as set forth in 37 CFR 1.17(p) (see "Fees" below).
- NOTE: This is for original applications except applications for a design patent, filed on or after May 29, 2000, wherein a paper containing only an Information Disclosure Statement in compliance with 37 CFR 1.97 and 1.98 is being filed.

Copies of the References

- ☒ Copies of all non-patent literature and foreign patent references listed on the enclosed Form 1449 are enclosed herewith.
- ☐ Attached to each reference not in the English language is a concise explanation of the relevance pursuant to 37 CFR 1.98(a)(3). An English-language equivalent/patent, or an English-language abstract, or an English-language version of the search report or action by a foreign patent office in a counterpart foreign application indicating the degree of relevance found by the foreign office is being submitted in lieu of a concise explanation of the relevance pursuant to 37 CFR 1.98(a)(3).
- ☒ A copy of the Supplementary European Search Report is enclosed herewith.

Fees

- ☒ **No fee is owed by the applicant(s).**
- ☐ The **IDS Fee of \$180** under 37 CFR 1.17(p) is enclosed herewith.

Method of Payment of Fees

- ☐ Charge Deposit Account No. 12-0913 in the amount of \$

In re Application of Walsh et al.
Application No. 10/570,836

Authorization to Charge Additional Fees

☒ If any additional fees are owed in connection with this communication, please charge Deposit Account No. 12-0913.

Respectfully submitted,



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Date: August 17, 2007

CERTIFICATION UNDER 37 CFR 1.8

I hereby certify that this INFORMATION DISCLOSURE STATEMENT (along with any documents referred to as being attached or enclosed) is being electronically filed via EFS WEB addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Date: August 17, 2007



S. Mitchell Donaldson



Substitute for FORM 1449A/B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number:	10/570,836
Filing Date:	December 13, 2006
First Named Inventor:	Bradley John Walsh
Group Art Unit:	1641
Confirmation Number:	5258
Examiner Name:	Lisa V. Cook
Attorney Docket Number:	36180-102911

U.S. PATENT DOCUMENTS

Examiner Initials	Doc. No.	U.S. Patent Document		Name of Patentee or Applicant	Date of Publication	Filing Date if Appropriate
		Application or Patent Number	Kind Code			

FOREIGN PATENT DOCUMENTS

Examiner Initials	Doc. No.	Foreign Patent Document			Name of Patentee or Applicant	Date of Publication	Translation	
		Office	Application or Patent Number	Kind Code			Yes	No**

OTHER - NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Doc. No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number (s), publisher, city and/or country where published.	Translation	
			Yes	No**
	AC	Ito et al., "A Radioimmunoassay for Urinary Alpha-2-Macroglobulin," <i>Tohoku J. Exp. Med.</i> , 176: 137-147 (1995).		
	AD	Oh et al., "Proteomics of Normal Human and Prostate Cancer Urines, FASEB Journal, FASEB Meeting on Experimental Biology: Translating the Genome; San Diego, CA, USA," 17: Abstract No. 759.7 (2003).		
	AE	Sottrup-Jensen et al., "Primary Structure of Human Alpha-2-Macroglobulin," <i>The Journal of Biological Chemistry</i> , 259 (12): 8318-8327 (1984).		
	AF	Sphar et al., "Towards Defining the Urinary Proteome Using Liquid Chromatography-Tandem Mass Spectrometry I. Profiling an Unfractionated Tryptic Digest," <i>Proteomics</i> , 1: 93-107 (2001).		
	AG	Tencer et al., "Proteinuria Selectivity Index Based upon Alpha-2-Macroglobulin or IgM Is Superior to the IgG Based Index in Differentiating Glomerular Diseases," <i>Kidney International</i> , 54: 2098-2105 (1998).		
	AH	Supplementary European Search Report from EP 04 76 1239 (2007).		

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EXAMINER	DATE CONSIDERED
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* A concise statement of relevance is being submitted in lieu of a translation. 37 CFR 1.98(a)(3).

+ An English-language equivalent/patent, or an English-language abstract, or an English-language version of the search report or action by a foreign patent office in a counterpart foreign application indicating the degree of relevance found by the foreign office is being submitted in lieu of a concise explanation of relevance under 37 CFR 1.98(a)(3).